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Rod R. Blagojevich, Governor

Illinois Environmental Protection Agency
Douglas P. Scott, Director

PUBLIC COMMENT PERIOD
Proposed Consent Decree
MIG/DeWane Landfill
Belvidere, Illinois

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On January 4, 2006, the State of Illinois lodged a proposed consent decree in the U.S. District Court for the Northern District in Illinois regarding the MIG/DeWane Landfill in Belvidere.

What is the content of the consent decree? Without admitting liability, the defendants have agreed:

- to design and implement the remedy for the landfill that was designated in the 2000 Record of Decision (ROD), (the accompanying fact sheet summarizes the ROD),
- to reimburse the state for pasts costs it has incurred at the site,
- to pay the state for future costs including oversight of work conducted by the defendants and
- to not sue the state for any costs relating to the site.

Who are the defendants listed in the consent decree? The defendants are BFI Waste Systems of North America, Inc., five past and present owners and 88 former customers of the landfill including municipalities and manufacturers.

May I comment on the proposed consent decree? Yes. The public may send written comments on the proposed consent decree to Gerald T. Karr, Senior Assistant Attorney General, Office of the Illinois Attorney General, Environmental Bureau, 188 West Randolph Street, 20th Floor, Chicago, Illinois 60601. Comments must be postmarked by February 21, 2006 and should refer to The State of Illinois v. BFI Waste Systems of North America, Inc., *et. al.*

Where can I view the proposed consent decree? The proposed consent decree may be viewed at (1) the Illinois Environmental Protection Agency (Illinois EPA) headquarters in Springfield, Illinois (2) the Ida Public Library in Belvidere or (3) the Illinois EPA website. The locations of these sites are listed on the bottom of page two.

What are the next steps? During 2006, the defendants will conduct a predesign investigation to collect information needed to design the remedy designated in the 2000 ROD. This information will include an evaluation of present landfill, leachate, landfill gas and groundwater conditions. Actual construction of the remedy probably will not begin until 2007.

Illinois
Environmental
Protection Agency

Office of Community Relations
1021 N. Grand Avenue East
Springfield, Illinois 62702

January 2006

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WHAT IS THE MIG/DEWANE LANDFILL?

The MIG/DeWane landfill is located in Boone County approximately one-quarter mile east of the City of Belvidere and one-half mile north of U.S. Business Route 20.

Between 1969 and 1988, the 47-acre landfill received general refuse and industrial wastes including paint sludge, volatile organic chemicals, asbestos and liquids containing heavy metals. The site was not properly closed and capped, resulting in a 5 to 10-acre depression in the middle of the landfill. This depression collected water, which drained into the landfill, resulting in over one hundred leachate seeps.

In 1989 and 1990, the Illinois EPA and U.S Environmental Protection Agency (U.S EPA), in two separate actions, removed approximately 155,000 gallons of leachate.* In 1991, parties responding to a U.S. EPA and Illinois EPA Administrative Order on Consent conducted a number of interim actions including the installation of an interim cap over the landfill. The landfill was placed on the National Priorities List (sometimes called the Superfund List) in 1990.

In April 1999, elevated levels of landfill gas were detected in the soil and in a few homes in Wycliffe Estates directly west of the landfill. The parties responding to the 1991 Administrative Order on Consent installed an active landfill-gas interception system along the western boundary of the landfill. The system significantly reduced landfill gas within a month. No landfill gas has been detected in the subdivision during the past six years.

*Leachate is water that has passed through landfill waste and picked up contaminants present in the waste.

Will the pipes and wells in the soil borrow pit area west of the landfill be removed? The pipes and wells are an aboveground landfill-gas extraction system. The main extraction system is buried to the east, closer to the landfill. As a precautionary measure, the aboveground system will remain in place to ensure protection against landfill gas moving into the Wycliffe Estates Subdivision. The 2000 ROD requires that a fence be constructed around the landfill and the soil borrow pit area.

FOR MORE INFORMATION

For more information about the consent decree contact: Gerald T. Karr, Senior Assistant Attorney General, Environmental Bureau, Office of the Illinois Attorney General, 188 West Randolph Street, 20th Floor, Chicago, Illinois 60601.

For more information about the site contact: Virginia Forrer, Illinois EPA community relations coordinator, at 1021 North Grand Ave East, P.O. Box 19276, Springfield, IL 62794-9276, telephone number 217/785-1269. Her email address is Virginia.Forrer@epa.state.il.us You may also contact the Illinois EPA project manager, Rick Lanham, at 1021 North Grand Ave East, P.O. Box 19276, Springfield, IL 62794-9276, telephone number 217/782-9881. His email address is Rick.Lanham@epa.state.il.us

Repository: The proposed consent decree and other project documents are available at the project repository located at the Ida Public Library, 320 North State St., Belvidere, IL 61008.

Website: The proposed consent decree is also located on the Illinois EPA website at http://www.epa.state.il.us/public-notices/

Administrative record file: This file contains all the documents that are the basis for Illinois EPA and U.S. EPA decisions for this project. It is located at the Illinois EPA headquarters in Springfield, Illinois. Call 217/782-9878 for more information.

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